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Curtis P. Cheysney
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March 9, 2005

The Honorable Kent A. Jordan
United States District Court
844 North King Street, Room 4209
Wilmington, DE 19801

VIA ELECTRONIC FILING

RE: Eames v. Nationwide Mutual Insurance Company
C.A. No.: 04-CV-1324KAJ

Dear Judge Jordan:

We received a fax copy of attorney Spadaro's March 8, 2005 letter brief addressed to you (dated March 8, 2005) and we received it at approximately 5:11 p.m. yesterday. We do not wish to engage in an uninvited letter brief campaign (directed at the Court as much as to the Court) after the close of the proceedings on the issue of remand. No request for further briefing was sought by counsel at the March 1 Conference on status and scheduling. We disagree with plaintiffs' counsel's other comments; and, we would be pleased to respond to them, in seriatim, but do so only if the Court requests further briefing or our response. However, you will recall that at the Status Conference of March 1st, plaintiffs pressed that the defendants file their initial disclosures pursuant to the Federal Rule 26(a), taking advantage of the Court's jurisdiction over the defendant. We filed defendant's initial disclosures as we said we would. There seems little reason to doubt and little basis for confusion that the Court intends to maintain jurisdiction over this suit; and we are proceeding pursuant to the Federal Rules of Civil Procedure. The briefing and arguing of the Motion to Remand has been completed; and we object to the plaintiffs' continuing efforts to impose upon the Court with his additional comments and arguments.

Respectfully yours,

SWARTZ CAMPBELL, LLC

/s/ Nicholas E. Skiles, Esquire
Nicholas E. Skiles, Esquire (DE I.D. #3777)
Curtis P. Cheysney, III, Esquire

CPC/dd

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cc: John S. Spadaro, Esquire
(via facsimile #302-472-8135
and regular mail)